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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ CS(OS) 18/2024

TARA GUPTA & ORS.

.....Plaintiffs

Through: Ms. Kavita Vinayak and Mr. Yash
Dadriwal, Advs.

versus

TATA SIA AIRLINES LTD.

.....Defendant

Through: Ms. Tine Abraham, Mr. Aayush
Marwah, Mr. Pundrikaksh Mitruka
and Mr. Pratik, Advs.

CORAM:

HON'BLE MR. JUSTICE VIKAS MAHAJAN

ORDER

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30.03.2026

**I.A. 8387/2026 (by plaintiff no.2 under Order XXXII Rule 7 read with
Section 151 CPC)**

1. The present suit has been filed by the plaintiffs praying for damages along with permanent and mandatory injunction.
2. Ms. Kavita Vinayak, learned counsel appearing on behalf of the plaintiffs submits that the damages have been sought *qua* burn injuries suffered by plaintiff no.1 while travelling in the aircraft of defendant.
3. She submits that plaintiff no.1 is minor and the suit was filed on her behalf through her next friend i.e. plaintiff no.2, who is the mother of plaintiff no.1.
4. She submits that during the pendency of present suit, the parties have arrived at a settlement. Broadly, the draft terms of settlement have already



been recorded in the proposed settlement, which has been filed along with the present application.

5. She submits that the matter is before mediation and for entering into the said settlement, plaintiff no.2, who is the mother of plaintiff no.1 (minor) requires leave of this Court in terms of Rule 7 of Order XXXII CPC.

6. Ms. Tine Abraham, learned counsel appearing on behalf of the defendant submits that she has no objection in case the present application is allowed.

7. This Court finds that plaintiff no.2 is mother and next friend of plaintiff no.1, and she does not have any interest adverse to that of plaintiff no.1 (minor). In that view of the matter, the application is allowed. Plaintiff no.2 is permitted to enter into any settlement/conciliated agreement or compromise on behalf of plaintiff no.1 (minor) in her capacity as next friend of plaintiff no.1.

8. The application is disposed of.

VIKAS MAHAJAN, J

MARCH 30, 2026

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